



General Assembly

Distr.: General
26 July 2005

Original: English

Fifty-ninth session

Agenda items 45 and 55

**Integrated and coordinated implementation
of and follow-up to the outcomes of the major
United Nations conferences and summits in the
economic, social and related fields**

Follow-up to the outcome of the Millennium Summit

Note verbale dated 13 July 2005 from the Permanent Mission of Malaysia to the United Nations addressed to the Secretary-General

The Permanent Representative of Malaysia to the United Nations, in his capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement, presents his compliments to the Secretary-General of the United Nations and has the honour to transmit herewith the text of the declaration adopted by the Ministers for Foreign Affairs of the Non-Aligned Movement at their special meeting held in Doha, Qatar, on 13 June 2005 (see annex).

The Permanent Representative of Malaysia would be grateful if the Secretary-General of the United Nations would have the text of the present note verbale and its annex circulated as a document of the General Assembly under agenda items 45 and 55.



**Annex to the note verbale dated 13 July 2005 from the
Permanent Mission of Malaysia to the United Nations
addressed to the Secretary-General**

Declaration

1. The Ministers of the Non-Aligned Movement (NAM) under the Chairmanship of the Honourable Syed Hamid Albar, Minister of Foreign Affairs of Malaysia met in Doha, State of Qatar, on 13 June 2005 at the sidelines of the Second South Summit. They reviewed the preparations of NAM for the forthcoming High-Level Plenary Meeting of the General Assembly which would be held in New York from 14 to 16 September 2005.
2. The Ministers reaffirmed the continued validity of the decisions of the XIII Conference of Heads of State or Government of NAM held in Kuala Lumpur from 24 to 25 February 2003, the Annual Meeting of the Ministers of Foreign Affairs of NAM held in New York on 26 September 2003, the XIV Ministerial Conference of NAM held in Durban from 18 to 19 August 2004, the Annual Meeting of the Ministers of Foreign Affairs of NAM held in New York on 29 September 2004, and the Ministerial Meeting of NAM on the Advancement of Women held in Putrajaya from 9 to 10 May 2005.
3. The Ministers recalled General Assembly Resolutions 58/291 of 17 May 2004 and 59/145 of 13 January 2005 which have set out the objective of the High-Level Plenary Meeting to undertake a comprehensive review of the progress made in the fulfilment of all the commitments contained in the Millennium Declaration, and of the progress made in the integrated and coordinated implementation of the outcomes and commitments of the major United Nations conferences and summits in the economic, social and related fields. In this context, they reaffirmed the importance of all the outcomes of major United Nations conferences and summits in the economic and social fields, and noted that the full implementation of all internationally agreed development goals, including those contained in the Millennium Declaration, would be an important step in addressing the urgent needs of developing countries.
4. The Ministers considered the High-Level Plenary Meeting to be of historic significance and stressed that its outcome should provide a proper balance on all questions, in particular the balance among questions relating to development and social advancement, peace and security, and rule of law and human rights. They emphasized that any new measures concerning the United Nations and its reform should be decided by Member States through an intergovernmental process. They maintained that while reform of the United Nations is an ongoing process, the High-Level Plenary Meeting would provide an opportunity for Member States to reform the United Nations to enable it to respond to the threats and challenges of the twenty-first century.
5. The Ministers expressed their satisfaction with the efforts and work undertaken by the Non-Aligned Movement through the Co-ordinating Bureau and the Ad Hoc and subsidiary Working Groups in New York in presenting and expressing the Movement's positions, comments and ideas in a comprehensive manner on the observations and recommendations contained in the Report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005) and the Report of the High-Level

Panel on Threats, Challenges and Change entitled "A more secure world: our shared responsibility" (A/59/565). The Ministers endorsed and reaffirmed the positions, comments and ideas of NAM on various issues that have been conveyed to the President of the 59th Session of the General Assembly and requested the Co-ordinating Bureau to continue to advance the interests and priorities of the Movement during the period leading to the High-Level Plenary Meeting.

6. The Ministers noted with appreciation the preparatory work for the High-Level Plenary Meeting that has been carried out and is still continuing under the leadership of the President of the 59th Session of the General Assembly. They urged the President of the General Assembly to continue with his approach and commitment towards ensuring that the preparatory process for the High-Level Plenary Meeting remains inclusive, open-ended and transparent in order to allow for the interests and priorities of Member States to be taken into account.

7. The Ministers reiterated their commitment to multilateralism, the importance of the promotion and strengthening of the multilateral process, and the need to address international challenges and problems by strictly adhering to the United Nations Charter and the principles of international law. They also stressed the centrality and central role of the United Nations in the maintenance of international peace and security and the strengthening of international cooperation as reaffirmed by the General Assembly in its Resolution 58/317 of 5 August 2004. They expressed their rejection of unilateralism, which could lead to the erosion and violation of international law, to the use and threat of use of force and to pressure and coercion, including unilateral sanctions, by certain countries as a means to achieving their policy objectives.

8. The Ministers, recalling the commitment to strengthening multilateralism expressed in General Assembly Resolution 58/317, called for evolving common perceptions and agreed approaches to address both the new and existing threats to international peace and security. In this regard, they underscored the need for the process of United Nations reform to take place in accordance with the purposes and principles of the United Nations Charter. They also emphasized that all reforms within the United Nations system, including institutional reforms, should promote greater democracy, effectiveness, efficiency, transparency and accountability.

9. The Ministers reiterated that the United Nations Charter provides a balance among the purposes and principles of the United Nations that cover all the pertinent issues, including economic and social development, peace and security, as well as rule of law and human rights, and the Millennium Declaration provides the twenty-first century perspective of that balance. They noted the interconnectedness of the threats faced by all countries and that these threats could be addressed by acting at a sufficiently early stage with the full range of available peaceful means. They affirmed that the leaders of Member States should pledge concerted action against the whole range of threats to international peace and security, including emerging threats, in order to provide effective collective security in the twenty-first century.

10. The Ministers, noting the interconnectedness between peace and security and development, emphasized that any effort to transform the United Nations into an effective instrument for preventing conflict should take into account the need for balance and comprehensiveness, in accordance with the purposes and principles of the United Nations Charter and international law, in order to enhance conflict resolution and post-conflict peacebuilding strategies with the aim of achieving sustainable development. They expressed the

view that it would be important for Member States of the United Nations to develop common perceptions and agreed approaches to address existing, new and emerging threats to international peace and security as well as the root causes of conflict. In this context, they were convinced that all the principal organs of the United Nations—the General Assembly, the Security Council and the Economic and Social Council—have a role in evolving and implementing a more effective collective security system, and that such common perceptions and approaches to collective security would only be legitimate if they are developed in accordance with the purposes and principles of the Charter and by all Member States acting together. They expressed the view that the active participation of each and every organ of the United Nations is crucial, acting both in the exercise of its various mandates and within the competencies assigned to each one by the Charter, without upsetting the balance of powers as established by the Charter.

11. The Ministers welcomed the idea of establishing a Peacebuilding Commission. This notwithstanding, they reiterated that, without prejudice to the competence and respective roles of other principal organs of the United Nations in post-conflict peacebuilding activities, the General Assembly must have the primary role in the establishment and the formulation of the mandate of the Peacebuilding Commission and in the formulation and implementation of post-conflict peacebuilding policies and activities.

12. The Ministers stressed that, in accordance with the letter and spirit of the United Nations Charter, Member States should further advance the principles of the non-use of force and peaceful settlement of disputes. In addition, they expressed the view that the promotion of a culture of peace, dialogue among civilizations and inter-religious cooperation are some of the significant measures and approaches that could contribute towards international peace, security and harmony. They also stressed that the use of force must not be considered as the only instrument to achieve and maintain international peace and security, and, if necessary, force should be used only as a measure of last resort in accordance with the Charter.

13. The Ministers affirmed that the United Nations Charter contains sufficient provisions regarding the use of force to maintain international peace and security, and stressed that achieving this goal, including by the Security Council, should be done in accordance with the relevant provisions of the Charter. They expressed concern over the increasing resort by the Security Council to Chapter VII of the Charter as an umbrella for addressing issues that do not necessarily pose a threat to international peace and security, and maintained that the Security Council should fully utilize the provisions of other relevant Chapters, where appropriate, including Chapters VI and VIII of the Charter.

14. The Ministers affirmed the view that the Security Council need not adopt a resolution that would set out the principles for the use of force, and that the Security Council should not express through such a resolution its intention to be guided by such principles when deciding to authorize or mandate the use of force.

15. The Ministers recalled General Assembly Resolution 58/317 and stressed the continued applicability and validity of the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the United Nations Charter, annexed to General Assembly resolution 2625 (XXV) of 24 October 1970.

16. The Ministers emphasized that Article 51 of the Charter is restrictive and recognizes "the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations", and that this Article should not be re-written or re-interpreted. They noted that this is supported by the practice of the United Nations and is in accordance with international law pronounced by the International Court of Justice, the principal judicial organ of the United Nations, concerning this question.

17. The Ministers stressed the deep concern of the Movement over the intention of a group of States to unilaterally re-interpret the existing legal instruments, in accordance with their own views and interests, and re-emphasized that Member States must maintain the integrity of international legal instruments.

18. The Ministers reaffirmed the commitment of the Non-Aligned Movement to the United Nations Charter and underscored the need to preserve and promote its principles and purposes, including the principles of respect for the sovereignty, territorial integrity and non-interference in the internal affairs of States. In this regard, they reiterated the rejection by the Movement of the so-called "right" of humanitarian intervention, which has no basis either in the Charter or in international law, and requested the Co-ordinating Bureau in New York to continue to be seized with this issue as well as other related matters in accordance with the principled position of the Movement. They also observed similarities between the new expression "responsibility to protect" and "humanitarian intervention" and requested the Co-ordinating Bureau to carefully study and consider the expression "responsibility to protect" and its implications on the basis of the principles of non-interference and non-intervention as well as the respect for territorial integrity and national sovereignty of States, bearing in mind the provisions of the Charter of the United Nations, international law and international humanitarian law.

19. The Ministers reaffirmed the importance of achieving the total elimination of all weapons of mass destruction globally, in particular nuclear weapons, which pose the greatest danger to mankind and the survival of civilizations. They recalled paragraph 9 of the Millennium Declaration wherein the leaders of Member States of the United Nations have resolved to strive for the elimination of weapons of mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers. They reaffirmed the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent the proliferation in all its aspects of weapons of mass destruction and their means of delivery, and further reaffirmed that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament. In this regard, they reiterated their call for the establishment of a zone free of nuclear weapons as well as other weapons of mass destruction in the Middle East which would contribute to the aims and objectives of the Middle East Peace Process.

20. The Ministers of the Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) acknowledged the efforts and work undertaken by the Group of Non-Aligned States Parties to the NPT during the Seventh Review Conference of the Parties of the NPT, which was held in New York from 2 to 27 May 2005, and noted that the Group had acted in good faith and in a constructive, flexible and consistent manner to advance its long-established and principled positions towards strengthening the NPT regime. They expressed their disappointment over the inability of the Review Conference to reach consensus on the

substantive questions surrounding the three pillars of the NPT. In this context, they noted the unwillingness by some States, including certain nuclear-weapon States, to honour their previous obligations and commitments in the fields of nuclear disarmament and non-proliferation in all its aspects, in particular those agreed by consensus during the 1995 and 2000 Review Conferences of the Parties to the NPT. This notwithstanding, they remained committed to the NPT and maintained that it continues to have an important cornerstone status in the global disarmament and non-proliferation framework. They continued to have faith in the NPT regime and its review process through the Review Conferences and expressed the view that, in looking ahead, States Parties should begin considering about what needs to be done and accomplished from now until the next Review Conference in 2010. They recognised that in general the issues related to the NPT would be addressed in the conferences and meetings of its States Parties.

21. The Ministers remained deeply concerned over the illicit transfer, manufacture and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, especially in Africa. In this regard, they emphasised that there is a need to ensure that the supply of small arms and light weapons is limited only to Governments or to entities duly authorised by Governments and to implement legal restrictions on the unrestricted trade in and ownership of small arms and light weapons. They also emphasised the importance of early and full implementation of the United Nations Programme of Action concerning Small Arms and Light Weapons. They continued to deplore the use, in contravention of international humanitarian law, of anti-personnel mines in conflict situations aimed at maiming, killing and terrorising innocent civilians.

22. The Ministers reiterated the positions of NAM regarding international terrorism as contained in the Final Documents of the XIII Conference of Heads of State or Government of NAM in Kuala Lumpur in February 2003 and the XIV Ministerial Conference of NAM in Durban in August 2004, which have been conveyed during the process of consultations convened by the President of the 59th Session of the General Assembly in the context of preparations for the High-Level Plenary Meeting.

23. The Ministers acknowledged the role of the Secretary-General's "good offices" in helping to resolve conflicts peacefully. They expressed the view that the General Assembly should study the proposal by the Secretary-General in paragraph 108 of his Report (A/59/2005) about the need for Member States to allocate additional resources for his good offices functions, bearing in mind the limited financial capacity of developing countries and, preferably, within existing resources of the United Nations.

24. The Ministers expressed their appreciation to the Secretary-General of the United Nations for his continuing efforts to organize the annual multilateral treaty event in conjunction with the General Assembly sessions. They have taken note of the focus of this year's event on the 32 multilateral treaties relating to the protection of civilians. They expressed the view that achieving the objective of such treaty events, including the ratification and implementation of the treaties by Member States, would be contingent upon the national interest, priorities and capacity as well as constitutional and legislative requirements of Member States.

25. The Ministers emphasized the need for a renewal of commitment by the international community to uphold and defend the principles of the United Nations Charter and international law as well as the means envisaged in the Charter for the peaceful settlement of disputes. In this

regard, they encouraged the Security Council to make greater use of the International Court of Justice (ICJ), the principal judicial organ of the United Nations, as a source of advisory opinions and interpretation of relevant norms of international law and reaffirmed that further progress is necessary to achieve full respect for international law and the ICJ. They reiterated the support of the Movement to the Advisory Opinion of the International Court of Justice on two important questions, namely on the Legality of the Threat or Use of Nuclear Weapons of 1996 and on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory of 2004.

26. The Ministers reaffirmed that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing, and is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. They affirmed that while all democracies share common features there is no one model of democracy. The Ministers recalled the pledge by the leaders of Member States of the United Nations, as contained in the Millennium Declaration, to strengthen their countries' capacity to implement the principles and practices of democracy. They recognized the important role played by the United Nations in the promotion and strengthening of democratic practices in Member States that have sought legal, technical and financial assistance in order to strengthen their capacity to implement the principles and practices of democracy. While recognizing that the promotion of democracy is important at the national level, they expressed the resolve of the Movement to make every effort to promote the democratisation of the system of international governance in order to increase the participation of developing countries in international decision-making.

27. The Ministers reaffirmed the significant importance attached by the Movement to the promotion and protection of human rights and commitment to fulfil obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the United Nations Charter, other instruments relating to human rights and international law. They also reaffirmed that all human rights, in particular the Right to Development, are universal, inalienable, indivisible, interdependent and interrelated. They further reaffirmed that human rights issues must be addressed within the global context through a constructive, dialogue-based approach, in a fair and equal manner, with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, impartiality, non-selectivity and transparency as the guiding principles, taking into account the political, historical, social, religious and cultural characteristics of each country.

28. The Ministers stressed that the proposal to increase the resources of the Office of the High Commissioner on Human Rights (HCHR) would need to be carefully studied. In this regard, they expressed concern over the non-representation and under-representation of several Member States, especially developing countries and countries with economies in transition, in the staffing of the Office of the HCHR as well as in the whole Secretariat of the Office of the HCHR. They maintained that the High Commissioner should be reporting to the General Assembly, which is a universal body of the United Nations, on matters relating to human rights, and in cases of breaches of international peace and security, which leads to gross and serious violations of human rights such as crimes against humanity, ethnic cleansing and genocide, the Security Council may invite the High Commissioner to report on these violations.

29. The Ministers reaffirmed the Movement's general principles and positions on reform of the United Nations, as follows:-

- UN reform must be comprehensive, inclusive, balanced and pursued in an effective manner. It should fully respect the political nature of the Organization as well as its intergovernmental, universal and democratic character.
- UN reform should be aimed at strengthening the role of the Organization as the pre-eminent and indispensable forum for addressing critical and complex global issues, including the peaceful resolution of disputes, based on dialogue, cooperation and consensus-building amongst nations.
- UN reform should focus on strengthening the role of the Organization in promoting international cooperation for development and in implementing the internationally-agreed development goals, including the Millennium Development Goals, through enhanced mechanisms, adequate resources and effective follow-up activities, as well as in the maintenance of international peace and security, taking into account that the Charter clearly provides a role for each of the principal organs.
- UN reform should include strengthening and revitalization of the principal organs, namely the General Assembly and the Economic and Social Council, as well as reform of the Security Council, and other relevant UN bodies.
- The revitalization of the work of the General Assembly is part of the comprehensive reform of the Organization, which is a dynamic and ongoing process. Any reform process should lead to the strengthening of the General Assembly as the chief deliberative, policy-making and representative organ of the UN, and restoring and enhancing its role, including in the maintenance of international peace and security as provided for in the Charter, through the strengthening of its relationship and coordination with other organs, in particular the Security Council.
- Any UN reform proposal should also address systemic issues and requirement for additional human and financial resources that may arise as a result.

30. The Ministers observed the tendency by some to equate United Nations reform with greater empowerment of the Security Council. They emphasised the need to keep the balance among the functions, competencies and responsibilities of the principal organs of the United Nations.

31. The Ministers endorsed and reiterated the Movement's positions concerning efforts to strengthen the United Nations, including the revitalization of the work of the General Assembly, reform of the Security Council, reform of the Economic and Social Council, reform of the Secretariat, and the proposed establishment of the Human Rights Council and the Peacebuilding Commission, which have been conveyed during the process of consultations convened by the President of the 59th Session of the General Assembly in the context of preparations for the High-Level Plenary Meeting.

32. The Ministers reiterated the Movement's commitment to be engaged constructively in the continuing preparatory process for the High-Level Plenary Meeting and in this context, instructed their delegations to participate actively in the upcoming consultations and negotiations on the draft outcome document of the High-Level Plenary Meeting submitted by the President of the 59th Session of the General Assembly.

33. The Ministers expressed their heartfelt appreciation and gratitude to His Highness Sheikh Hamad bin Khalifa Al-Thani, the Emir of the State of Qatar, His Excellency Sheikh Hamad bin Jassem bin Jabr Al-Thani, the First Deputy Prime Minister and Minister of Foreign Affairs of the State of Qatar, the Government and the people of the State of Qatar for the generous hospitality and courtesies as well as the excellent facilities and services which have greatly contributed to the success of the Special Meeting. They acknowledged the strong commitment of the State of Qatar to the efforts of the Non-Aligned Movement towards the achievement of its aims and objectives, in keeping with the spirit of unity and solidarity prevailing in the Movement and the collective desire to sustain the process of the revitalisation of the Movement.

Doha, 13 June 2005